

REMARKS

This Amendment is in response to the Office Action dated November 28, 2006. In the Office Action, claims 1-22 were rejected. With this Amendment, the Specification and claims 1-3, 6, 11-22 are amended and claims 4 and 5 are canceled. It is respectfully submitted that claims 1-3 and 6-22 are in condition for allowance.

Claims 1 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf (US 3,267,452) in view of Polizzano (US 4,057,313). Claims 1 and 18 are amended to incorporate features of canceled claims 4 and 5. It is respectfully submitted that claims 1 and 18 are in condition for allowance as including features not taught or suggested by the cited references.

On pages two and three of the Office Action, the Examiner states that “Wolf does not disclose explicitly the first hand grip having a first hole formed therein and a terminal electrically coupled to the cable having a terminal hole formed therein aligned with the first hole in the first hand grip; and a removable fastener which couples the terminal to the first hand grip through the first hole and the terminal hole whereby the first hand grip can be disconnected from the cable.” The Examiner further states that “it would have been obvious to a person having ordinary skill in the art at the time of the invention to substitute Wolf’s clamp assembly and secure the cable in the handle portion with a removable fastener means as taught by Polizzano in order to ensure a reliable secure mechanical and electrical connection between the cable and the clamp handle.”

It is respectfully submitted that the cited references fail to teach or suggest “a cable including a main electrical conductor capable of carrying a charging current and first and second electrical conductors, wherein at least one of the first and second electrical conductors provide a Kelvin connection capability for injecting a forcing function into the battery and measuring a voltage across the battery.” Although Wolf discloses a cable (20, 56) and Polizzano discloses a wire (34), none of the cited references disclose a cable as including a main conductor carrying a charging current and first and second electrical conductors as claimed in claims 1 and 18.

Claims 3-4, 7-8 and 22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf in view of Polizzano, and further in view of Kowalski et al. (US 5,772,468). It is

respectfully submitted that claims 3, 7-8 and 22 are in condition for allowance at least based on their relation to allowable claims 1 and 18.

Claims 2 and 19-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf and Polizzano, as applied to Claim 1 above, and further in view of Johnson (4,969,834) and in view of Moenkhaus et. al. (US 6,500,025). It is respectfully submitted that claims 2 and 19-20 are in condition for allowance at least based on their relation to allowable claims 1 and 18. However, it is respectfully submitted that claims 2, 19-20 are allowable over the cited references for additional reasons.

The Examiner states that “neither Wolf nor Polizzano disclose a first electrical plug electrically coupled to the clamp and a second electrical plug electrically coupled to the cable.” Instead, the Examiner illustrates FIG. 7 of Johnson. However, it is respectfully submitted that none of the cited references, including the Johnson reference, teach “a first electrical plug electrically coupled to the clamp through first and second wire connectors of the clamp and a second electrical plug electrically coupled to the first and second electrical conductors of the cable.” As illustrated in FIG. 8 of Johnson, Johnson does not teach or suggest the cable configuration claimed in claims 2, 19 or 20, let alone a second plug coupled to first and second conductors of the cable.

Claims 5 and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf and Polizzano, as applied to Claim I above, and further in view of Vonderhaar et al. (US 6,469,511). Claim 5 is canceled.

It is respectfully submitted that 6 is in condition for allowance at least based on its relation to allowable claims 1. However, it is respectfully submitted that claim 6 is allowable over the cited references for additional reasons. Again, none of the cited references include a cable configuration like that which is claimed in claim 6, let alone that a portion of the cable configuration claimed having “a sensor lead for sending a physical property of the battery.”

Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf and Polizzano as applied to Claim 1 above, and further in view of Yoshikawa et. at. (US 4,983,086). It is respectfully submitted that claim 9 is in condition for allowance at least based on its relation to allowable claim 1.

Claim 10 was rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf and Polizzano, as applied to Claim I above, and further in view of Hatrock (US 4,983,086). It is respectfully submitted that claim 10 is in condition for allowance at least based on its relation to allowable claim 1.

Claims 11-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf in view of Polizzano, and in view of Johnson. Claim 11 is amended. It is respectfully submitted that claim 11 is in condition for allowance as including features not taught or suggested by the cited references.

The Examiner states that Wolf and Polizzano do not disclose a first electrical plug coupled to the clamp and a second electrical plug coupled to the cable, but that Johnson does. It is respectfully submitted that the cited references fail to teach or suggest that “the first and second electrical plug removably electrically couple together and are housed in the first hand grip” as claimed in independent claim 11. Although Johnson discloses a connecting means (20) and a connecting means (60), the connecting means (20 and 60) are clearly not housed in a first hand grip of a clamp.

It is respectfully submitted that claim 11 is allowable over the cited references. In addition, it is respectfully submitted that claims 12-14 are also in condition for allowance at least based on their relation to allowable claim 11.

Claims 15-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf and Polizzano, and in view of Johnson as applied to Claim 11 above, and further in view of Vonderhaar et al.

It is respectfully submitted that claims 15 and 16 are in condition for allowance at least based on their relation to allowable claim 11. However, it is respectfully submitted that claims 15 and 16 are allowable over the cited references for additional reasons. Again, none of the cited references include a cable configuration like that which is claimed in claim 11, let alone that a portion of the cable configuration claimed has a sensor lead or isolated electrical contacts that provide a Kelvin connection.

Claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf in view of Polizzano, and in view of Johnson as applied to claim 13 above, and further in view of Hatrock.

It is respectfully submitted that claim 17 is in condition for allowance at least based on its relation to allowable claim 11.

Claim 21 was rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf and Polizzano, and Johnson as applied to Claim 19 above, and further in view of Vonderhaar et al. It is respectfully submitted that claim 21 is in condition for allowance at least based on its relation to allowable claim 18. However, it is respectfully submitted that claim 21 is allowable over the cited references for additional reasons. Again, none of the cited references include a cable configuration like that which is claimed in claim 21, let alone a portion of the cable configuration claimed providing a sensor lead and a portion of the cable providing a Kelvin connection.

It is respectfully submitted that claims 1-3 and 6-22 are in condition for allowance. Favorable action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: /Leanne R. Taveggia/
Leanne R. Taveggia, Reg. No. 53,675
900 Second Avenue South, Suite 1400
Minneapolis, Minnesota 55402-3244
Phone: (612) 334-3222
Fax: (612) 334-3312

LRT/jme